

ORIGINAL



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Roger and Darlene Chantel  
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Kingman, AZ 86401

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Arizona Corporation Commission

BEFORE THE ARIZONA CORPORATION COMMISSION

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OCT 16 2013

Commissioners  
BOB STUMP, CHAIRMAN  
GARY PIERCE,  
BRENDA BURNS  
BOB BURNS  
SUSAN BITTER SMITH

DOCKETED BY

*[Signature]*

Docket No. E-01750A-09-0149

IN THE MATTER OF THE FORMAL  
COMPLAINT OF ROGER AND DARLENE  
CHANTEL

COMPLAINANTS,

MOHAVE ELECTRIC COOPERATIVE  
INC.

RESPONDENT.

COMPLAINANT'S REQUEST TO  
DECLINE MOTION FOR ORAL  
ARUGMENT IN A PROCEDURAL  
CONFERENCE AND THAT THE  
ADMINISTRATIVE LAW JUDGE MOVE  
FORWARD IN ISSUING OF THE  
ENFORCEMENT ORDER

Complainant's, Roger and Darlene Chantel, respectfully  
request the Commissioners, Employees of the Commission and  
Belinda A. Martin, Administrative Law Judge, to decline the  
request for a hearing to argue issues that cannot have further  
evidence introduced. The Complainants further request that the  
Administrative Law Judge issue the Enforcement Order as it was  
written.

#### REVIEW OF ISSUES

The issues in this complaint fall under the Arizona  
Administrative Codes, which was passed by the Arizona State  
Legislature. The State Legislature passed these rules in  
accordance to founding documents that established governing  
principles, like the ones found in the "The Declaration of  
Independence" (adopted in Congress July 4, 1776). In this  
document it gives governmental authority, (which includes judges  
that receive pay checks from these authorities) instructions of

1 how to treat and respect the people that they govern over. This  
2 document covers a lot of responsibility as to how authorities  
3 must respect the people in the nation when governing over them.  
4 These documents state that this nation has been established by a  
5 Supreme Power. In this Document it states: "that all men are  
6 created equal, that they are endowed by their Creator with  
7 certain unalienable rights, that among these are life, liberty  
8 and the pursuit of happiness."

9 Arizona State Legislature has honorably filled their duties  
10 to the citizens of the State of Arizona by passing rules that  
11 protect the citizens' lives. The Arizona State Legislature  
12 further insures the citizens' happiness and safety by passing  
13 rules that the transmission of high voltage electricity must  
14 meet the standards that have been set forth.

15 R14-2-211 A 5 and 6 of the Arizona Administrative Code is  
16 about protecting the lives of the people of the State of  
17 Arizona. Evidence has been submitted to the Administrative Law  
18 Judge that proves that she has a duty as well as a  
19 responsibility to protect the citizens of the State of Arizona  
20 by issuing the Enforcement Order, which will protect the life of  
21 the complainant.

22 R14-2-202 B 1, 2, addresses a number of issues. This rule  
23 requires a utility company to file an application to remove  
24 lines that are not in use or abandoned. This rule protects the  
25 general public from hazardous unsafe poles and lines, it  
26 protects the environment by removing toxic transformers and it  
27 assures that the esthetic value of a community is maintained.  
28 These are grounds for the issuance of the Enforcement Order.

29 R14-2-208 A 1 and F 1 of the Arizona Administrative Code is  
30 the standard that utilities in the State of Arizona must comply  
31 to. The Enforcement Order is simply a request for an officer of  
32 the Arizona Corporation Commission to perform an inspection of

1 lines and poles along Hwy. 66 to determine if the utility known  
2 as Mohave Electric Cooperative, which is the owner of these High  
3 Voltage Transmission lines, has kept their lines and poles up to  
4 the present day standards.

5 The above issues have not been resolved. MEC still has not  
6 made any effort to reinstate Complainants' electricity. MEC  
7 still has unsafe poles and lines that exist on the property and  
8 in the community. The evidence clearly points out that the court  
9 has not fully resolved the issues.

10 Mr. Larry Udall and Mr. Michael A. Curtis are filing  
11 frivolous pleadings for the purpose of increasing their wages.  
12 These two attorneys contend that MEC did not disconnect the  
13 complainants' electricity because of unpaid bills. These  
14 attorneys claim to this jurisdiction that Mohave County directed  
15 MEC to discount the complainants' electricity. They are licensed  
16 professional attorneys who know that Mohave County does not have  
17 the jurisdiction to issue a discount order when it involves  
18 issues of High Voltage Transmission lines. Again they claim that  
19 the complainant built a structure under MEC's lines. These same  
20 attorneys violated their professional conduct code by not  
21 addressing the facts that MEC did not have a right of way to  
22 have their lines and poles on this property. They make claims  
23 that MEC was not negligent in de-energizing the high voltage  
24 transmissions lines that are located on the property that  
25 supplied electricity to the complainants. MEC's actions go far  
26 beyond being negligent. They exercised abusive assertion of  
27 power, their actions caused complainants extreme hardships,  
28 their refusal to make attempts to resolve the issues was and  
29 still is a threat to complainant, Roger Chantel's, life, because  
30 of the need for continuous electricity.

31 The Enforcement Order requests Steven, Olea the Utility  
32 Director of the Arizona Corporation Commission, to conduct an

1 inspection of lines and poles along Hwy. 66. These two attorneys  
2 make claims that the staff of the Arizona Corporation Commission  
3 is a non-party to these proceedings. They even go to the extent  
4 to say the court has addressed the issue. If Steven Olea has not  
5 directed his staff to perform an inspection of the lines and  
6 poles along Hwy. 66, how could a court address something that  
7 has not yet happened?

8       It is clear and undisputed that the Administrative Law  
9 Judge, Steven Olea and many of his staff share the same building  
10 and they all get paid checks from the same authority. All of the  
11 staff of the governmental organization known as the Utility  
12 Division inside the Arizona Corporation Commission has duties to  
13 enforce these rules for the benefit of the citizens of Arizona.

14       One can only interpret most of the response pleadings of  
15 these two attorneys as frivolous filings with intent to expand  
16 their wages. None of their pleadings show cause that the  
17 Administrative Law Judge should not issue the Enforcement Order.

18       On September 9<sup>th</sup> of 2013 Belinda A. Martin issued an order  
19 "that no party shall present testimony or new evidence and/or  
20 exhibits during oral argument." This clearly shows that any form  
21 of oral argument will not result in any change of the facts that  
22 have already been submitted. This order clearly supports  
23 complainants' request to decline this motion for an oral hearing  
24 and that the Administrative Law Judge should proceed with the  
25 issuance of the Enforcement Order.

26       All indications are that ACC staff has not conducted an  
27 inspection along Hwy. 66. The complainant was not informed of a  
28 time or a place to start the inspection. If such an inspection  
29 has taken place, the complainant has not been informed of this.  
30 If justice is part of these proceedings, the names of the staff,  
31 the date they conducted the inspection and the time it occurred,  
32 should be revealed.

1 I am sure that all of us seek justice and want to fight  
2 corruption. This can be done by comparing a pole by pole private  
3 report with the staffs report. The words in the pleading of  
4 these two attorneys on the issue of ACC staff conducting an  
5 inspection truly appears to be professional intention to lead  
6 the Administrative Law Judge away from the path of justice and  
7 to draw her down a path of corruption. These kinds of violations  
8 of the professional code of conduct prevent any rights to claim  
9 res judicata.

10 There is one point that all people can and will agree on,  
11 that is these issues have been present in the complaints' lives  
12 for about seven years. It is time to move towards resolving  
13 these issues. Everything has been done, it is now time to issue  
14 the Enforcement Order and move this complaint forward to a point  
15 of being resolved.

#### 16 CONCLUSION

17 All of the laws and evidence that has been submitted  
18 clearly point out that the issues have not been resolved. The  
19 information and the existing laws clearly support grounds for  
20 the Administrative Law Judge to issue the Enforcement Order.

21 The only reason such an order might not be issued is  
22 because of some kind of personal act or attack on the  
23 Administrative Law Judge.

24 The Complainants pray for a fast and speedy issuance of  
25 the Enforcement Order as it is written. The Administrative Law  
26 Judge should decline an oral argument because there will be no  
27 new evidence or testimony that will change the existing  
28 pleadings that have already been presented.

29 Dated this 15 day of October, 2013

30   
31 Roger Chantel  
32

Proof of and Certificate of Mailing

I hereby certify that on the 15<sup>th</sup> day of October, 2013, I caused the foregoing documents to be served on the Arizona Corporation Commission by mailing the original and (13) copies of the above to:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, AZ 85007

Copy of the foregoing mailed this 15<sup>th</sup> day  
Of October, 2013 to:

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